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December 4, 2024

VIA ECF

Judge Joan M. Azrack
100 Federal Plaza
Central Islip, NY 11722

Re: *SDN Limited v. IOV Labs Limited*, Case No. 2:24-cv-06089

Dear Your Honor:

We write on behalf of Defendants IOV Labs Limited, RIF Labs Limited, and RSK Labs Limited in connection with Defendants' pre-motion conference letter dated November 26, 2024. Dkt. 22.

Plaintiffs SDN Limited and Steven Nerayoff have missed yet another filing deadline in this case: After failing to file a Complaint within the time allotted by the CPLR, Plaintiffs failed to respond to Defendants' pre-motion conference letter within the seven-day deadline set by Rule IV(B) of Your Honor's Individual Rules of Practice. Plaintiffs have similarly failed to respond to Defendants' Rule 11 notice. Dkt. 22-1.

In an ordinary case, a party's failure to respond to a pre-motion conference letter can be remedied by simply permitting the moving party to file a motion. However, here, in light of Plaintiffs' repeated disregard for deadlines, Defendants' concerns regarding factual misstatements in the Complaint, *see* Dkt. 22-1, and the costs involved in preparing a motion to dismiss, judicial and party economy would be best served by requiring Plaintiffs to respond to Defendants' pre-motion conference letter and holding a pre-motion conference hearing.

In particular, prior to Defendants expending the resources necessary to prepare and file a full motion, Plaintiffs should be required to explain whether they intend to stand on the demonstrably false allegations in the Complaint—or if they contend the Complaint is accurate. Accordingly, Defendants respectfully request that the Court direct Plaintiffs to answer Defendants' pre-motion conference letter and schedule a pre-motion conference at the Court's earliest convenience.

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Sincerely,

/s/ Michael B. Carlinsky

Michael B. Carlinsky

CC: All counsel of record